

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ROLANDO JESSE DAZA-CORTEZ,  
  
Defendant-Petitioner,  
  
v.  
  
UNITED STATES OF AMERICA,  
  
Plaintiff-Respondent.

NO. C18-1608RAJ  
(CR15-269RAJ)

UNITED STATES' ANSWER TO  
AMENDED PETITION FILED  
UNDER 28 U.S.C. § 2255  
("PETITIONER'S RESPONSE TO  
GOVERNMENT'S RESPONSE")

Exhibit 18

Email between Prior Counsel Emily Gause and AUSAs Andy Colasurdo and Sarah Vogel  
March 7, 2017

**Emily Gause**

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**From:** Vogel, Sarah (USAWAW) <Sarah.Vogel@usdoj.gov>  
**Sent:** Tuesday, March 7, 2017 3:28 PM  
**To:** Emily Gause; Colasurdo, Andy (USAWAW)  
**Cc:** Wolgamuth, Karen (USAWAW)  
**Subject:** RE: Daza Cortez: Proposed Plea Agreement

Thanks, Emily, but we decline your proposed agreed 7 year offer.

*Sarah Y. Vogel*  
*Assistant U.S. Attorney*  
*700 Stewart St., #5220*  
*Seattle, WA 98101*  
*206-553-2074 – desk*  
*206-553-4440 – fax*

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**From:** emily@emilygauselaw.com [mailto:emily@emilygauselaw.com]  
**Sent:** Tuesday, March 7, 2017 2:24 PM  
**To:** Vogel, Sarah (USAWAW) <SVogel@usa.doj.gov>; Colasurdo, Andy (USAWAW) <AColasurdo@usa.doj.gov>  
**Cc:** Wolgamuth, Karen (USAWAW) <KWolgamuth@usa.doj.gov>  
**Subject:** RE: Daza Cortez: Proposed Plea Agreement

Sarah,

Your first offer to my client's prior attorney was to 120 months.

My client's first offer to you was a 5 year MM and an agreed range of 5-7 years.

I believe that my client's position at the motion hearing has only improved. Thus, it makes sense for both of us to rethink resolution options. This should include a willingness from the government to improve the offer to resolve this case.

One thing my client was hung up on was the facts in the plea agreement. You explicitly said that no further changes or concessions would be made, and that any request to do so would be a rejection of the offer. It was only in that place of communication, and *past* the government allowable deadline, that my client felt forced to reject the proposed agreement. I made that very clear in my email.

I think that if we could get to an agreed 7 years, my client would take it. I am willing to discuss ideas. And the facts in the agreement would need to change. Of course, you are free to argue any facts you wish at sentencing.

Perhaps a phone call would be appropriate?

Emily